

HYDROGRAPHIC QUANTITY SURVEYS

Engineer Federal Acquisition Regulation Supplement (EFARS) 36.516-100 gives an order of preferred methods for performing quantity surveys for contracts for dredging or underwater material placement when payment is to be based on actual quantities. The preferred order is:

1. Use qualified in-house survey crews.
2. Contract with a qualified independent hydrographic survey contractor (using the Brooks Act qualification-based selection procedures in FAR Subpart 36.6).
3. Have the dredging contractor perform the quantity survey.

For the first and second methods, FAR clause 52.236-16, Quantity Surveys, is used. For the last method, Alternate I to this clause is used. This clause is prescribed in FAR 36.516.

EFARS 36.516-100 states that the last method should only be used in “exceptional circumstances” since the contractor’s survey has the least credibility of any of the payment survey methods. Very small or very remote projects may be justified exceptional circumstances. The administrative convenience of awarding one contract (dredging with quantity surveys) instead of two contracts (one for dredging and one for quantity surveys) is not an adequate justification. Three conditions must be satisfied to have the dredging contractor perform the payment survey:

1. The contracting officer has a reasonable assurance that the surveys will be adequate for payment purposes.
2. A qualified Government inspector will be present during the collection of the survey data.
3. *The district commander approves.*

In summary, avoid the use of contractor-performed quantity surveys. If there is no practical recourse, follow the procedure listed above as required by the FAR and EFARS. Also, “encourage” the dredging contractor to use a qualification-based selection process, instead of a low bid method, when selecting a surveying subcontractor. (But then, this raises an obvious question: If the dredging contractor is able to hire a qualified surveying firm to do the quantity surveys, why doesn’t the Corps just directly hire that firm or another firm?)

POC: Don Evick, CECW-ETE, 202-761-4227